

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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UNITED STATES OF AMERICA, :

Plaintiff, : Criminal Action
No. 19-10080-NMG

v. :

AMY COBURN, *et al.*, : **ORAL ARGUMENT REQUESTED**

Defendants. :

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**DEFENDANTS’ MOTION IN *LIMINE* TO EXCLUDE
EVIDENCE REGARDING “TAKING” AN ADMISSIONS SPOT**

Pursuant to Federal Rules of Evidence 401, 402, and 403, Defendants Gamal Abdelaziz [Def. No. 4], Elisabeth Kimmel [Def. No. 13], Marci Palatella [Def. No. 16], and John Wilson [Def. No. 17] (“Defendants”) respectfully move the Court for an order *in limine* excluding any argument or evidence at trial that any of the Defendants, or their children, took an admissions “spot” from another student. Allowing such an argument would introduce into evidence that there were *other* purported “victims” besides the universities and test-taking companies—the allegedly “deserving” students who would have otherwise been admitted to these universities. The Fourth Superseding Indictment does not allege that there were any other victims besides the test-taking companies and the universities, and allowing argument about “spots” and “deserving students” is irrelevant, unduly prejudicial, and would only serve to delay the trial through countless mini-trials of who was and was not “deserving” of admission to a particular university.

The grounds for this Motion are set forth in the accompanying memorandum of law.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(D), Defendants respectfully request oral argument on this motion.

/s/ Michael K. Loucks

Michael K. Loucks

LOCAL RULE 7.1(A)(2) CERTIFICATION

The undersigned counsel hereby certifies that counsel for Defendants has conferred with counsel for the government and attempted in good faith to resolve or narrow the issues raised by this motion, but could not obtain counsel's agreement to the relief sought by this motion.

/s/ Michael K. Loucks

Michael K. Loucks

Dated: July 30, 2021
Boston, Massachusetts

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Michael K. Loucks, hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants, if any, on July 30, 2021.

Dated: July 30, 2021 /s/ Michael K. Loucks
Michael K. Loucks